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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/666,642	
	Filing Date	Sept. 18, 2003	
	First Named Inventor	JIANG, Cai-Zhong	
	Art Unit	1638	
	Examiner Name	BAUM, Stuart F	
Total Number of Pages in This Submission	603	Attorney Docket Number	MBI-0054 US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Mendel Biotechnology, Inc.		
Signature			
Printed name	Jeffrey M. Libby		
Date	August 3, 2005	Reg. No.	48,251

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Jeffrey M. Libby	Date	August 3, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/666,642)
In re application of: JIANG, Cai-Zhong)
Filed: Sept. 18, 2003)
Art Unit: 1638)
Examiner: BAUM, Stuart F.)
Docket No. MBI-0054 US)
Customer No. 47334)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97(b)

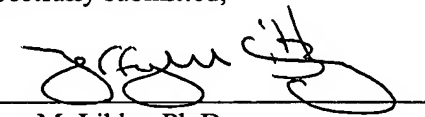
Sir:

In compliance with the duty to disclose information pursuant to 37 CFR §1.56, please find enclosed an Information Disclosure Statement (Forms PTO/SB/08a and PTO/SB/08b) and forty-four (44) references for the above-referenced patent application. In accordance with 37 CFR § 1.97(g)-(h), filing of this Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is considered material to patentability as defined in 37 CFR §1.56(b).

Applicants believe that this Information Disclosure Statement has been filed within the time limits as set forth in 37 C.F.R. § 1.97(b)(3). If the Commissioner determines that an additional fee is due, the Commissioner is hereby authorized to charge Mendel Biotechnology, Inc. Deposit Account No. 50-1025. This form is enclosed in duplicate.

Respectfully submitted,

Date: August 3, 2005

By: 
Jeffrey M. Libby, Ph.D.
Registration No. 48,251

Mendel Biotechnology, Inc.
21375 Cabot Blvd.
Hayward, California 94545
Phone: (510) 259-6120
Fax: (510) 264-0254



PTO/SB/08a (08-03)

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 6

Complete if Known

Application Number	10/666,642
Filing Date	Sept. 18, 2003
First Named Inventor	JIANG, Cai-Zhong
Art Unit	1638
Examiner Name	BAUM, Stuart F
Attorney Docket Number	MBI-0054 US

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 6,664,446	12-16-2003	HEARD et al.	SEQ ID NO:29,30,116
	2	US- 10/412,699	03-04-2004	ZHANG et al.	SEQ ID NO:805-808
	3	US- 10/278,536	07-10-2003	SAMAHHA et al.	SEQ ID NO:226
	4	US- 10/714,887	unpublished	HEARD et al.	SEQ ID NO:5,6,29-32,129, 158,201-210,223-224
	5	US- 09/713,994	unpublished	KEDDIE et al.	SEQ ID NO:1639,1640
	6	US- 10/225,066	12-04-2003	RATCLIFFE et al.	SEQ ID NO: 1,2, Table 4, Row 1
	7	US- 10/374,780	01-29-2004	SHERMAN et al.	SEQ ID NO:253-254, 1529-1535
	8	US- 5,994,622	11-30-1999	JO FUKU and OKAMURO	Col. 13, line 55-Col. 20 line 32,Col. 21-Col. 30
	9	US- 2002/0076775	06-20-2002	CRANE et al.	p. 7 [0088], p. 23 [0252] - p. 24 [0260], p. 27 [0303] - p. 28 [0329], p. 29-63
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	10	EP1406483 (WO0215675)	02-28-2002	PILGRIM et al.	SEQ ID NO:196-197	
	11	EP1485490 (WO03013227)	02-20-2003	RATCLIFFE et al.	SEQ ID NO:1,2, p. 55, Table 4 Row 1	

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				Application Number	10/666,642
				Filing Date	September 18, 2003
				First Named Inventor	JIANG, Cai-Zhong
				Art Unit	1638
				Examiner Name	BAUM, Stuart F
Sheet	3	of	6	Attorney Docket Number	MBI-0054 US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	13	NCBI acc. no. NM_101262; Arabidopsis thaliana WRKY family transcription factor (At1g13960) mRNA, complete cds.		
	14	Jofuku et al. (09.07.2000) NCBI Accession No. AR091882; Sequence 3 from patent US 5994622		
	15	Kushnir et al. (11.08.2001) NCBI Accession No. AF426252; Arabidopsis thaliana WRKY transcription factor 51 (WRKY51) mRNA, complete cds.		
	16	Kushnir et al. (12.27.2001) NCBI Accession no. AF452174; Arabidopsis thaliana WRKY transcription factor 75 (WRKY75) mRNA, complete cds.		
	17	Town et al. (01.10.2002) NCBI Accession no. NM_125877; Arabidopsis thaliana WRKY family transcription factor (At5g64810) mRNA, complete cds.		
	18	Ulker et al. (01.20.2002) NCBI Accession no. AY071847; Arabidopsis thaliana WRKY transcription factor 50 (WRKY50) mRNA, complete cds.		
	19	de Pater et al. (1996) Characterization of a zinc-dependent transcriptional activator from Arabidopsis. Nucleic Acids Res 24: 4624-4631		
	20	Chen et al. (2002) Expression profile matrix of Arabidopsis transcription factor genes suggests their putative functions in response to environmental stresses. Plant Cell 14: 559-574		
	21	Chen and Chen (2002) Potentiation of developmentally regulated plant defense response by AtWRKY18, a pathogen-induced Arabidopsis transcription factor. Plant Physiol 129: 706-716		
	22	Dellagi et al. (2000) A potato gene encoding a WRKY-like transcription factor is induced in interactions with Erwinia carotovora subsp. atroseptica Mol Plant Microbe Interact 13: 1092-1101		

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet

4

of

6

Complete If Known

Application Number

10/666,642

Filing Date

September 18, 2003

First Named Inventor

JIANG, Cai-Zhong

Art Unit

1638

Examiner Name

BAUM, Stuart F

Attorney Docket Number

MBI-0054 US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	23	Du and Chen (2000) Identification of genes encoding receptor-like protein kinases as possible targets of pathogen- and salicylic acid-induced WRKY DNA-binding proteins in Arabidopsis. Plant J 24: 837-847	
	24	Eulgem et al. (1999) Early nuclear events in plant defence signalling: rapid gene activation by WRKY transcription factors. EMBO J 18: 4689-4699	
	25	Eulgem et al. (2000) The WRKY superfamily of plant transcription factors. Trends Plant Sci 5: 199-206	
	26	Ishiguro and Nakamura (1994) The DEFECTIVE IN ANTHOR DEHISCENCE gene encodes a novel phospholipase A1 catalyzing the initial step of jasmonic acid biosynthesis... Mol Gen Genet 244: 563-571	
	27	Johnson et al. (2002) TRANSPARENT TESTA GLABRA2, a trichome and seed coat development gene of Arabidopsis, encodes a WRKY transcription factor. Plant Cell 14, 1359-1375	
	28	Lebel et al. (1998) Functional analysis of regulatory sequences controlling PR-1 gene expression in Arabidopsis. Plant J 16: 223-233	
	29	Mare et al. (2004) Hv-WRKY38: a new transcription factor involved in cold- and drought-response in barley. Plant Mol Biol 55: 399-416	
	30	Pnueli et al. (2002) Molecular and biochemical mechanisms associated with dormancy and drought tolerance in the desert legume Retama raetam. Plant J 31: 319-330	
	31	Robatzek and Somssich (2002) Targets of AtWRKY6 regulation during plant senescence and pathogen defense. Genes Dev 16: 1139-1149	
	32	Sun et al. (2003). A novel WRKY transcription factor, SUSIBA2, participates in sugar signaling in barley by binding to the sugar-responsive elements of the iso1 promoter. Plant Cell 15, 2076-2092	

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				Art Unit	1638
				Examiner Name	BAUM, Stuart F
Sheet	5	of	6	Attorney Docket Number	MBI-0054 US

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	33	Rushton et al. (1996) Interaction of elicitor-induced DNA-binding proteins with elicitor response elements in the promoters of parsley PR1 genes. EMBO J 15: 5690-5700		
	34	Tepperman et al. (2001) Multiple transcription-factor genes are early targets of phytochrome A signaling. Proc Natl Acad Sci U S A 98: 9437-944		
	35	Wang et al. (1998) An oligo selection procedure for identification of sequence-specific DNA-binding activities associated with the plant defence response. Plant J 16: 515-522		
	36	Yamasaki et al. (2005) Solution Structure of an Arabidopsis WRKY DNA Binding Domain. Plant Cell 17: 944-956		
	37	Yang et al. (1999) A pathogen- and salicylic acid-induced WRKY DNA-binding activity recognizes the elicitor response element of tobacco class I chitinase gene promoter. Plant Journal 18: 141-149		
	38	Yu et al. (2001) Evidence for an important role of WRKY DNA binding proteins in the regulation of NPR1 gene expression. Plant Cell 13: 1527-1540		
	39	Zhang and Wang (2005) The WRKY transcription factor superfamily: its origin in eukaryotes and expansion in plants. BMC Evol Biol 5: 1		
	40	Zou et al. (2004) A WRKY gene from creosote bush encodes an activator of the abscisic acid signaling pathway. J Biol Chem 279: 55770-55779		
	41	Rushton et al. (2002). Synthetic Plant Promoters Containing Defined Regulatory Elements Provide Novel Insights into Pathogen- and Wound-Induced Signaling. Plant Cell 14, 749-762.		
	42	Kalde et al. (2003). Members of the Arabidopsis WRKY Group III Transcription Factors Are Part of Different Plant Defense Signaling Pathways. Molecular Plant-Microbe Interactions 16, 295-305.		

Examiner Signature		Date Considered	
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	43	Li et al. (2004) The WRKY70 transcription factor: a node of convergence for jasmonate-mediated and salicylate-mediated signals in plant defense. Plant Cell 16, 319-331	
	44	Robatzek and Somssich (2001) A new member of the Arabidopsis WRKY transcription factor family, AtWRKY6, is associated with both senescence- and defence-related processes. Plant J 28, 123-133	

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